

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

---

CELLCAST TECHNOLOGIES, LLC )  
and )  
ENVISIONIT LLC, )  
Plaintiffs, )  
v. ) No. 15-1307  
THE UNITED STATES, )  
Defendant, ) Judge Ryan T. Holte  
and )  
INTERNATIONAL BUSINESS MACHINES )  
CORPORATION, )  
Third-party Defendant. )

---

**JOINT STATUS REPORT PROPOSING A SCHEDULE**  
**IN RESPONSE TO THE COURT'S ORDER OF FEBRUARY 25, 2021**

Plaintiffs, CellCast Technologies, LLC and EnvisionIT (collectively, “Plaintiffs”) and defendant, the United States and third party defendant, International Business Machines Corporation (collectively, “Defendants” and, collectively with Plaintiffs, “the Parties”) jointly propose the following schedule, pursuant to the Court’s order dated February 25, 2021 (Docket No. 175), and respectfully request the Court adopt, the following schedule:

<b>Event</b>	<b>Date:</b>
Deadline for the Parties to Engage in Mediation <sup>1</sup>	May 7, 2021
Opening Expert Reports Due	May 31, 2021

---

<sup>1</sup> Plaintiffs and Defendants note that they have agreed to a more extended schedule for expert discovery than they originally proposed, only because: 1) Defendants raised scheduling conflicts, and 2) the added time provides an opportunity for Plaintiffs and the government to attempt to mediate this case.

Event	Date:
Rebuttal Expert Reports Due	August 9, 2021
Reply Expert Reports Due	September 20, 2021
Close of Expert Discovery	October 11, 2021
Motions for Summary Judgment Due	November 15, 2021

Defendants respectfully state that there are two motions that they anticipate filing in the near future: a motion by Defendants to supplement their invalidity contentions and a motion by the government for invalidity of the asserted patents under 35 U.S.C. 101. Plaintiffs anticipate opposing Defendants' anticipated motions.

Plaintiffs respectfully ask the Court to set a date for a liability trial in this case to occur during the summer of 2022. Defendants propose that the Court maintain the approach provided for in the previous scheduling order (*i.e.* that a scheduling conference to discuss the trial would occur within fourteen (14) days after the Court's summary judgment decision).

Respectfully submitted,

/s/ Peter J. Chassman  
 PETER J. CHASSMAN  
 Texas Bar No. 00787233  
 Reed Smith LLP  
 811 Main Street  
 Suite 1700  
 Houston, TX 77002-6110  
 Telephone: (713) 469-3885  
 Facsimile: (713) 469-3889  
 E-mail: [pchassman@reedsmith.com](mailto:pchassman@reedsmith.com)

*Attorneys for CellCast Technologies, LLC  
 and EnvisionIT, LLC*

Respectfully submitted,

BRIAN M. BOYNTON  
 Assistant Attorney General

GARY L. HAUSKEN  
 Director

/s/ Joshua I. Miller  
 JOSHUA I. MILLER  
 Trial Attorney  
 Commercial Litigation Branch  
 Civil Division  
 Department of Justice  
 Washington, DC 20530  
 Tel: (202) 353-0526  
 Fax: (202) 307-0345

joshua.miller2@usdoj.gov

*Attorneys for the United States*

Respectfully submitted,

/s/ Mark J. Abate

Mark J. Abate  
Calvin E. Wingfield Jr.  
Goodwin Procter LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018  
Tel: (212) 813-8000  
Fax: (212) 355-3333  
mabate@goodwinprocter.com  
cwingfield@goodwinprocter.com

*Counsel for International Business  
Machines Corporation*